

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTINA DONAHUE, AS ADMINISTRATRIX OF THE ESTATE OF ANGEL MCINTYRE, DECEASED; MATTHEW MUNAFO; KRISTYANNA DELLAVECCHIA, <i>Plaintiffs,</i> v. BOROUGH OF COLLINGDALE; BOROUGH OF DARBY; DANTE LYNCH; JAKE LYONS, COLIN RICHERS, <i>Defendants,</i>	CIVIL ACTION NO. 22-1695
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ORDER RE: SUMMARY JUDGMENT

AND NOW, this 1st day of February, 2024, this Court, having reviewing Defendants' Motions for Summary Judgment (ECF 66; ECF 68), Plaintiffs' Responses (ECF 71; 84); Defendants' Replies (ECF 101; ECF 102), the submitted exhibits attached thereto, and holding oral argument with all counsel present on the matter, **GRANTS in part** and **DENIES in part** Defendants' Motions:

1. Count I (officer liability for constitutional violations): Defendants' request for summary judgment against all Plaintiffs is **GRANTED**.
2. Count II (Monell liability for constitutional violations): Defendants' request for summary judgment is **DENIED** with respect to Plaintiffs Munafo and the Administratrix of McIntyre. Defendants' request for summary judgment is **GRANTED** as to Plaintiff Dellavecchia.

3. Counts VII and VIII (statutory vehicles for McIntyre's estate to bring claims on her behalf): Defendants request for summary judgment is **DENIED**.
4. Defendant Jake Lyons' request for summary judgment on Counts III, IV, V, VI, IX, and X is **GRANTED**.
5. All state law claims against remaining Defendants, Counts III, IV, V, VI, IX, and X are **BIFURCATED** from Count II for trial. This Court defers ruling on Defendants' requests for summary judgment pending resolution of Count II at trial.

BY THE COURT:

/s/ Michael M. Baylson

MICHAEL M. BAYLSON, U.S.D.J.